

REMARKS

At the time of the Office Action, Claims 12-20 were pending in this Application. Claims 12-20 were rejected. Claims 12-15 have been amended. New claims 21-25 have been added. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102(b)

Claims 12-20 were rejected under 35 U.S.C. §102(b) as being anticipated by Beyer II *et al.*, U.S. Patent No. 5,724,525 (“Beyer”). With respect to independent Claim 12, Applicants have made broadening amendments by deleting some of the claim language and have further amended to recite monitoring at least one aspect of a user response to the prompt and, based at least in part on the transaction selected and the monitored aspect, select a next U/I. Applicants have also amended reciting an initial user interface in response to the establishment of a communication connection with the user.

Applicants submit that Claim 12 as amended is not anticipated by Beyer because Beyer does not teach every element of the claim. For example, Beyer does not teach either expressly or inherently, monitoring at least one aspect of a user response to the prompt and, based at least in part on the transaction selected and the monitored aspect, select a next U/I.

With respect to Claim 14, Applicants have further amended to recite that the initial user interface is selected based on a characteristic of the communication connection. Claim 15 as amended recites that the communication connection characteristics upon which the initial user interface are selected may include whether the response is provided via voice or touch tone, the amount of time elapsed between the prompt and the response, an the inflection of the user’s voice. Applicants submit that the Beyer does not teach these elements either expressly or inherently either.

Applicants have also added new dependent Claim 21 and new independent claims 22 and 23. Applicants submit that both of these new independent claims recite elements not taught or suggested by Beyer. Claim 22 recites, for example,, monitoring at least one aspect of a user response and selecting a next user interface based on the monitored aspect. Claim 23 recites, as an example, selecting a next user interface to present to a user based on a responsive parameter associated with the user’s response. Applicants submit the Beyer does not teach or suggest these claim elements.

Association of Customer Number

Please associate this application with Customer No. **67942**, and direct all correspondence pertaining to this patent application to practitioners at Customer No. **67942**.

CONCLUSION

Applicants respectfully request reconsideration of the pending claims.

Applicants believe there are no fees due with this response; however, the Commissioner is hereby authorized to charge any fees necessary, or credit any overpayment, to Deposit Account No. 10-0096 of Jackson Walker L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.236.2019.

Respectfully submitted,
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A handwritten signature in black ink, appearing to read 'J. P. Lally', written in a cursive style.

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